

REMARKS

Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

The Issue Fee has not yet been paid.

Respectfully submitted,

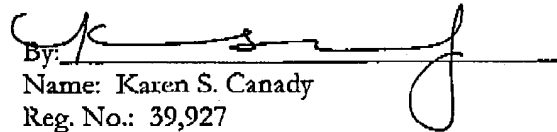
GATES & COOPER LLP  
Attorneys for Applicant(s)

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: March 1, 2004

KSC/io

G&C 118.6-US-01

By:   
Name: Karen S. Canady  
Reg. No.: 39,927

RECEIVED  
CENTRAL FAX CENTER

MAR 01 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Young Chul Sung et al.	Examiner:	Liping Chen
Serial No.:	09/730,716	Group Art Unit:	1632
Filed:	December 6, 2000	Docket:	G&C 118.6-US-01
Title:	AIDS DNA VACCINE THAT PREVENTS SIVMAC239 VIRUS INFECTION IN MONKEYS		

OFFICIAL

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on June 4, 2003.

By:   
Name: Karen S. Canady

STATEMENT REGARDING BIOLOGICAL DEPOSIT  
UNDER 37 C.F.R. §§ 1.801-1.809

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated December 4, 2002, Applicants submit this statement regarding the deposit of biological material referred to in the above-identified patent application.

1. Applicants state that the deposit of KCTC Accession No(s). KCTC 0702BP and KCTC 0703BP referred to on page 13 of the specification of the above-identified patent application have been accepted by the Korean Collection for Type Cultures ("KCTC") at Korean Research Institute of Bioscience and Biotechnology (KRIBB), #52, Oun-dong, Yusong-ku, Taejon 305-333, Republic of Korea, an International Depository Authority under the provisions of the Budapest Treaty.
2. All restrictions upon public access to the deposit will be irrevocably removed upon the grant of a patent on this application, and the deposit will be replaced if viable samples cannot be dispensed by the depository.

3. The material has been deposited under conditions that ensure that access to the material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 35 CFR §1.14 and 35 USC §122.
4. The deposited material will be stored with all care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposited material, and in any case at least thirty (30) years after the date of a deposit or for the enforceable life of the patent, whichever is longer.

Respectfully submitted,

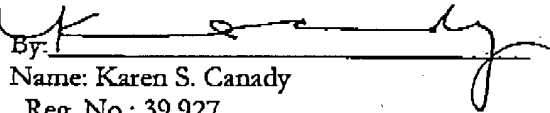
GATES & COOPER LLP  
Attorneys for Applicant(s)

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, California 90045  
(310) 641-8797

Date: June 4, 2003

KSC/sjm

G&C 118.6-US-01

By:   
Name: Karen S. Canady  
Reg. No.: 39,927

**COPY**

Due Date: June 4, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Young Chul Sung et al. Examiner: Liping Chen  
 Serial No.: 09/730,716 Group Art Unit: 1632  
 Filed: December 6, 2000 Docket: G&C 118.6-US-01  
 Title: AIDS DNA VACCINE THAT PREVENTS SIVMAC239 VIRUS INFECTION IN MONKEYS

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on June 4, 2003.

By:   
 Name: Karen S. Canady

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.  
☒ Amendment Under 37 C.F.R. §1.111 including Substitute Abstract.  
☒ Statement Regarding Biological Deposit Under 37 C.F.R. §§ 1.801-1.809

**CLAIMS PRESENT**

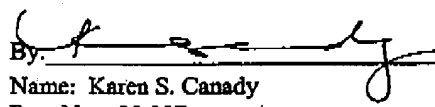
Claims Remaining:	Highest Number Previously Paid For:	Number Extra	Rate	Fee
<b>Total Claims</b>				
8	20	0	x \$9.00	= \$0.00
<b>Independent Claims</b>				
3	3	0	x \$42.00	= \$0.00
<b>MULTIPLE DEPENDENT CLAIM FEE</b>				\$0.00
<b>TOTAL FILING FEE</b>				\$0.00

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

CUSTOMER NUMBER 22462

**GATES & COOPER LLP**  
 Howard Hughes Center  
 6701 Center Drive West, Suite 1050  
 Los Angeles, CA 90045  
 (310) 641-8797

By:   
 Name: Karen S. Canady  
 Reg. No.: 39,927  
 KSC/sjm

TO:Auto-reply fax to +13106418798 COMPANY:

## Auto-Reply Facsimile Transmission

COPY



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

TO:

Fax Sender at +13106418798

Fax Information

Date Received:

6/4/03 2:22:40 PM [Eastern Daylight Time]

Total Pages:

17 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

06-04-2003 10:12AM	FROM-Gates & Cooper LLP	+13106418798	T-081 P.007 F-158
--------------------	-------------------------	--------------	-------------------

**Gates & Cooper LLP**  
Howard Hughes Center  
6701 Center Drive West, Suite 1030  
Los Angeles, California 90045

**FAX TRANSMISSION TO USPTO**

<b>TO:</b> Commissioner for Patents Attn: Examiner Liping Chen Patents Examining Corps Facsimile Center Washington, D.C. 20231	<b>FROM:</b> Karen S. Canady <b>OUR REF.:</b> G&C 118.6-US-01 <b>TELEPHONE:</b> (310) 642-4119
--	--

Total pages, including cover letter: 17

**PTO FAX NUMBER:** (703) 872-9306

If you do NOT receive all of the pages, please telephone us at (310) 641-8797, or fax us at (310) 641-8798.

Title of Document Transmitted:	AMENDMENT UNDER 37 C.F.R. 51.111 INCLUDING SUBSTITUTE ABSTRACT AND STATEMENT REGARDING BIOLOGICAL DEPOSIT UNDER 37 C.F.R. §§ 1.801-1.809
Applicant:	Young Choi Sung et al.
Serial No.:	09/730,716
Filed:	December 6, 2003
Group Am Unit:	1632
Our Ref. No.:	G&C 118.6-US-01

By: [Signature]  
Name: Karen S. Canady  
Reg. No.: 39,927

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

<u>[Signature]</u> Signature	<u>6/4/03</u> Date
---------------------------------	-----------------------

KSC/ajm G&C 118.6-US-01

Received from +13106418798 at 5/4/03 2:22:40 PM [Eastern Daylight Time]